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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ZACHARY MIRABACK,

Defendant.

Case No. CR05-5704FDB

ORDER DENYING DEFENDANT'S
MOTION FOR NOTICE OF INTENT
TO USE EVIDENCE

Before the court is the motion of Defendant Zachary Miraback requesting that the Government provide notice of evidence it intends to produce at trial which may be subject to suppression. The Government contends that, by letter dated October 19, 2005, it provided all appropriate notice and discovery to the defense. Defendant's motion did not include a Rule 16(i) certification that the parties met, but were unable to resolve this discovery issue.


The court expects the parties to act in conformity with their discovery obligations and to meet to resolve any discovery issues prior to bringing them to the court's attention. Additionally, the court has nothing before it to indicate that the Government's notice of October 19, 2005 was deficient.

ACCORDINGLY,

1 IT IS ORDERED:

2 (1) Defendant's motion for notice of the Government's intent to use evidence (Dkt.#22)
3 is **DENIED** at this time.

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5 DATED this 25th day of October, 2005.

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8 FRANKLIN D. BURGESS
9 UNITED STATES DISTRICT JUDGE
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